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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,754	04/07/2000	Vijay R. Basani	020496/0004	2321

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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/544,754

Applicant(s)

BASANI ET AL.

Examiner

Jungwon Chang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL ACTION

1. Claim 15 has been canceled, and claims 1-14 and 16-20 are presented for examination.
2. The text of those sections of Title 35, U.S. Code not included in this office action can be found in a prior office action.
3. Claim 11 is allowed.
4. Claims 1, 2, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singh et al, "Electing Good Leaders", Journal of Parallel and Distributed Computing, pp. 184-201, in view of Buchanan et al. (US 6,594,044 B1), hereinafter referred to as Buchanan.
5. As to claim 1, Singh discloses the invention substantially as claimed including a method for selecting a group leader among servers in a multicast network segment (i.e., selecting a leader to coordinate some activity in a distributed system; Abstract, page 184) comprising the steps of:

 configuring a set of said servers (i.e., nodes a, b, c, d, fig. 1) to participate in electing a leader (page 185, Definition 2 (Elected Leaders), Example section), each said server having a corresponding voting priority (i.e., voting with least delay priority or

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highest expected connectivity priority (paragraph 7, page 188), TABLE, paragraph 1, page 186);

determining when a new leader is needed (i.e., when the old leader dies, paragraph 1, lines 5-7, page 200); and

said set of servers electing one server of said set to become said new leader by voting (i.e., the leader is the node with the most votes; paragraphs 1 and 11, page 186; paragraph 5, page 189).

6. Singh does not specifically disclose voting is performed by sending a leadership claim message including a priority claim at an interval determined by strength of a claim a candidate has on becoming the group leader. However, Buchanan discloses voting is performed by sending a leadership claim message including a priority claim at an interval (i.e., predetermined time period) determined by strength of a claim a candidate has on becoming the group leader (306, fig. 3; col. 6, lines 4-9 and 18-27). It would have been obvious to combine the teachings of Singh and Buchanan because Buchanan's leadership claim message including a priority claim would improve the performance of electing a group leader of Singh's system by allowing a new request server to become a new leader as soon as calculating the new leader having high priority than the current leader.

7. As to claim 2, Singh discloses measuring a set of leader selection parameters in each participant in said set (TABLE, page 186; TABLE, page 189; Definition 2, Example

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section, page 185; figs. 1 and 2; 4.1 section, page 188); and calculating the corresponding voting priority according to said measurements (paragraph 1, page 186; paragraph 5, page 189, node d is elected as a leader with highest priority).

8. As to claims 6 and 7, they are rejected for the same reasons set forth in claim 1 above. Singh does not specifically disclose comparing a received priority in any other claims to leadership with said sent voting priority. However, Buchanan discloses comparing a received priority in any other claims to leadership with said sent voting priority (306, fig. 3; col. 6, lines 4-9 and 18-27). It would have been obvious to combine the teachings of Singh and Buchanan because Buchanan's comparing the priorities would provide a desired leader for the group.

9. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 8-10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchanan et al. (US 6,594,044 B1), hereinafter referred to as Buchanan, in view of Singh et al, "Electing Good Leaders", Journal of Parallel and Distributed Computing, pp. 184-201.

11. As to claim 8, Buchanan discloses the invention substantially as claimed,

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including a system for determining a group leader among a group of servers (col. 3, lines 5-7) comprising:

a set of participant servers (O, fig. 1; col. 3, lines 25-26) including at least some servers capable of participating in electing a group leader (col. 3, lines 5-7 ;

a communication channel from each participant to each other participant (i.e., LAN; 116, 118, 120, 121, 127, 131, fig. 1; col. 3, lines 32-45);

a monitor process in each participant to determine which server is the current group leader (310, 312, fig. 3; col. 6, lines 24-27); and

an election process in each participant and to select a new group leader, said election process triggered by said monitor process (306, fig. 3; col. 6, lines 18-27).

12. Buchanan does not specifically disclose calculating a voting priority of said participant. However, Singh discloses calculating a voting priority of said participant (i.e., voting with least delay priority or highest expected connectivity priority (paragraph 7, page 188), TABLE, paragraph 1, page 186, paragraph 5, page 189). It would have been obvious to combine the teachings of Buchanan and Singh because Singh's calculating the voting priority of each participant would improve reliability of Buchanan's system by electing the leader based on the accurately calculated voting priority.

13. As to claims 9, 10 and 12, Buchanan further discloses determining how long since a group leader alive message has been heard on the communication channel (i.e., keep alive timer period; col. 6, line 66 – col. 7, line 5); and a trigger adapted to

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detect that a group leader has not been heard from for a time longer than a threshold time, according to the period of said periodic signal (col. 6, lines 37-38; col. 7, lines 8-14).

14. As claim 13, it is rejected for the same reasons set forth in claim 8 above.

15. Claims 14 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchanan et al. (US 6,594,044 B1), hereinafter referred to as Buchanan, in view of Singh et al, "Electing Good Leaders", Journal of Parallel and Distributed Computing, pp. 184-201, as applied to claims 8-13, further in view of Lim et al. (US 5,938,732).

16. Lim was cited in a prior Office action dated 4/10/2003 (paper #5).

17. As to claim 14, it is rejected for the same reasons set forth in claim 8 above. Buchanan and Singh do not specifically disclose each member sending a registration message to said group leader. However, Lim discloses each member sending a registration message to said group leader (col. 5, lines 1-6 and 61-65; col. 6, lines 40-45). It would have been obvious to combine the teachings of Buchanan, Singh and Lim because Lim's sending registration message would allow the group leader to aware of members of its group.

Buchanan and Singh do not specifically disclose said group leader multicasting a

registration report including an identifier corresponding to each registered member.

However, Lim discloses said group leader multicasting a registration report including an identifier corresponding to each registered member (col. 9, lines 21-31 and 35-44). It would have been obvious to combine the teachings of Buchanan, Singh and Lim because Lim's multicasting the registration report would allow all participants of the group to receive same information simultaneously, thereby sharing the information or resources with each other.

18. As to claims 16, 17 and 19, Buchanan further discloses configurable interval has expired (i.e., time-out; col. 6, lines 13-15 and 37-38; col. 7, lines 8-14).

19. As to claims 18 and 20, Buchanan further discloses registration requests includes at least some identification information selected from the set of: a server's IP address, a server's name (O₁-O_N, fig. 1; col. 3, lines 25-26), a server's port number (P1-P3, fig. 1; col. 3, lines 27-45), and a secret key.

20. Applicant's arguments filed 7/1/2004 have been fully considered but they are not persuasive.

21. In the remarks, applicants argued in substance that

(1) Buchanan teaches nothing about sending a message at an interval determined by strength of a claim.

22. Examiner respectfully traverses applicant's remark.

As to point (1), claims 1-10, 12-14 and 16-20 are not directed to specifically point out the functionality or characteristic of "strength of a claim". Buchanan clearly discloses sending a message (i.e., AIRP_Leader_Ack message; col. 5, line 60) at an interval (i.e., time, duration; before the ACK_timer expires; col. 5, line 62) determined by strength of a claim (i.e., if the Ack-timer times out, for want of an acknowledgement message from the leader, but the NE receives AIRP Hello Ack message from other NEs, the NE stops the timer and proceeds to step 306, fig. 3, the leader calculation; col. 6, lines 2-9).

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-

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9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWC
September 24, 2004



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